

Ad Hoc Committee on Towing

2001 Report

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**ARIZONA LEGISLATURE
AD HOC COMMITTEE ON TOWING
2001 REPORT**

*Submitted to the Governor
The President of the Senate
The Speaker of the House of Representatives
Arizona State Library, Archives and Public Records*

Committee Members:

Representative Russell Pearce, Chairman	Mr. Hal Borhauer
Representative Carlos Avelar	Mr. Tom Dorn, Dorn Policy Group Inc.
Representative Dean Cooley	Mr. Norris Nordvold, City of Phoenix
Representative John Loreda	Mr. Lee Watkins, Cactus Towing
Representative John Nelson	
Representative Bob Robson	

December 14, 2001

The Honorable Jane D. Hull
Governor, State of Arizona
1700 West Washington
Phoenix, AZ 85007

The Honorable Randall Gnant
President of the Senate
1700 West Washington
Phoenix, AZ 85007

The Honorable James Weiers
Speaker of the House of Representatives
1700 West Washington
Phoenix, AZ 85007

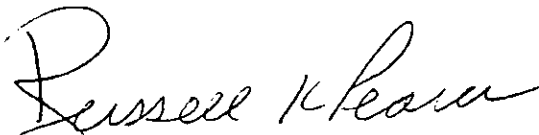
The Honorable Gladys Ann Wells
Director of the State Library, Archives
& Public Records
1700 West Washington
Phoenix, AZ 85007

Dear Governor Hull, President Gnant, Speaker Weiers, and Director Wells:

The Ad Hoc Committee on Towing, established by the Speaker of the House of Representatives, is required to review and make recommendations regarding nonconsensual towing of motor vehicles trespassing on private property.

The Committee held two meetings. In these meetings, the committee received testimony from various parties on whether changes are warranted to Arizona's statutes pertaining to private property trespass tows. Although future legislation may be offered by individual legislators, due to the complexity of the issues involved, the committee did not entertain any recommendations regarding nonconsensual towing issues. Please find enclosed the 2001 Ad Hoc Committee on Towing Report.

Sincerely,

A handwritten signature in cursive script, reading "Russell Pearce".

Representative Russell Pearce, Chairman
Ad Hoc Committee on Towing

Enclosure

AD HOC COMMITTEE ON TOWING 2001 REPORT

MEMBERS:

Representative Russell Pearce, Chairman	Mr. Hal Borhauer
Representative Carlos Avelar	Mr. Tom Dorn, Dorn Policy Group Inc.
Representative Dean Cooley	Mr. Norris Nordvold, City of Phoenix
Representative John Lored	Mr. Lee Watkins, Cactus Towing
Representative John Nelson	
Representative Bob Robson	

ESTABLISHMENT:

The Ad Hoc Committee on Towing was established by the Speaker of the House of Representatives. This Committee is repealed from and after December 31, 2001.

COMMITTEE CHARGE:

The purpose of the Committee is to review and make recommendations regarding nonconsensual towing of motor vehicles trespassing on private property, including:

1. current statutes, ordinances and practices pertaining to private property trespass tows;
2. current and best practices to establish towing and storage rates for private property trespass tows;
3. dispute resolution procedures between towers and vehicle owners;
4. issues pertaining to collection of towing and storage fees and release of the vehicle to the owner.
5. licensing issues regarding private property trespass towers;
6. appropriate distance between location from which the vehicle is towed and location where the vehicle is stored pending claim;
7. issues regarding federal preemption.

REQUIREMENTS:

On or before December 15, 2001, the Committee shall submit a final report regarding its findings and recommendations to the Governor, the Speaker of the House of Representatives, the President of the Senate, and provide a copy to the Secretary of State and the Director of the Arizona State Library, Archives and Public Records.

TERMINATION:

January 1, 2002

PUBLIC MEETINGS:

The Ad Hoc Committee on Towing held two public meetings.

Friday, October 12, 2001

Friday, October 26, 2001

RECOMMENDATIONS:

The Ad Hoc Committee on Towing did not entertain any formal recommendations regarding nonconsensual towing. However, based on testimony received by the Committee, Chairman Pearce related issues that will be included in the draft legislation:

- Licensing
- Limiting the distance for safety purposes.
- Insurance
- Caps, perhaps \$50 for towing with \$10 per day for storage.
- Signs
- Release
- Private property issue and a waiver to sign
- Appeals process
- Record of illegal tows